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BOOK REVIEWS.

THE CONSTITUTION OF THE UNITED STATES. A Critical Discussion of its Genesis, Development and Interpretation. By John Randolph Tucker, LL. D., late Professor of Constitutional and International Law and Equity, Washington and Lee University. Edited by Henry St. George Tucker, Professor of Constitutional and International Law and Equity in Washington and Lee University. 2 volumes. Chicago: Callaghan & Co. 1899.

This work of the late distinguished Virginian, John Randolph Tucker, was unpublished at his death, and the profession is indebted to the filial devotion of his scarcely less distinguished son, Prof. Henry St. George Tucker, for its publication. The volumes have been on our table for several months awaiting the appreciative review to which it was felt that so important a work from Virginia's gifted jurist was entitled. Such a review the pressure of other duties has up to this time made impossible. But we are unwilling that the work shall longer appear to be ignored by the law journal of the author's own State.

The editor of these volumes has shown excellent judgment in giving the text as the author left it, without editorial emendations. "My purpose has been," he declares, "at all times to preserve the original just as it was expressed by the author, rather than to attempt to correct any supposed blemishes of style or occasional obscurities of expression, or to change any colloquialisms more fitted for the lecture room or the hustings than for the dignified pages of refined commentaries, preferring to retain such rather than incur the danger, by change, of imparting to any passage a meaning different from that which was intended."

This commendable regard for the integrity of the author's text has occasionally caused the editor to overlook errors which are palpably clerical and which impart to the passages in which they occur an obviously different meaning from that intended.

The work is one that should especially appeal to the statesman and the student of government. The earlier portion is devoted to the origin, nature and principles of government in general, with special chapters on the origin of English institutions, and the development of constitutional government in America. The history and development of the two divergent schools of constitutional interpretation, and particularly as touching the relations of the States to the Union, are presented at length. It is needless to say that the views of that school of which Mr. Tucker was an ardent disciple—the States Rights school—are maintained with the enthusiasm, vigor and acumen characteristic of the man. On this subject, the editor says in his preface: "The book is an expression of the views of the author, not merely his intellectual opinions, but his deep convictions, in the consistent exercise of which he lived and in the faith of which he died; and neither the dissent of friendship, nor the storm of popular indignation, nor yet the hope of political preferment, ever shook his unswerving devotion to them."

After what we may term the controversial portion of the work, the author takes up the constitution, clause by clause, explaining and illustrating the meaning of each provision, as construed by the courts, or by other departments of the government, or by earlier commentators. The text is enriched throughout by the full

and lucid expression of the author's own views, whether approving or dissenting from received interpretation.

The publishers have presented the work in most attractive form.

Aside from the intrinsic value of these volumes, the lawyers of Virginia owe it to themselves and to their State pride, to say nothing of affectionate reverence for Mr. Tucker's memory, to add to their libraries this his last and best contribution to the cause of States Rights and principles of constitutional liberty.

CURIOSITIES OF LAW AND LAWYERS. By Croake James. New Edition, Greatly Enlarged. New York. Funk & Wagnalls Company. 1899.

While there is nothing on the title page to indicate that this volume is an English and not an American production, the fact is evident from every one of the more than seven hundred pages in the body of the book. The humor is intensely English, and most of it intensely dull. The book is largely made up of pointless anecdotes of long-dead English judges and lawyers, told with a tameness, the uniformity of which is the most striking curiosity to be found in the volume.

WIT AND HUMOR OF BENCH AND BAR. By Marshall Brown. Chicago. T. H. Flood & Co. 1899.

This volume is an excellent antidote for the condition in which Mr. Croake James' book has left the reviewer. It was a kind providence that so seasonably laid this work upon his table. We have here a collection of live anecdotes, bristling with genuine American humor, and told as by one who himself laughs in the recital of them. Many of these anecdotes have been in print before, and some of them are classic; but well known lawyers and judges of the present day figure prominently enough to give the whole volume a modern flavor. The collection is interspersed with apt sayings, spicy characterizations, bits of oratory, and such odds and ends as every lawyer likes to have in his scrap-book. The selections are made with excellent taste. The author's style is pleasing and the volume is on the whole most readable.

Those of our readers who are in need of a new supply of material for after-dinner speeches would do well to consult it.

A TREATISE ON CRIMINAL PLEADING AND PRACTICE. By Joseph Henry Beale, Jr., Professor of Law in Harvard University. Boston. Little, Brown & Company. 1899.

This volume is the latest addition to Messrs. Little, Brown & Company's well known Student's Series of text-books. The author's position as professor of criminal law and procedure in the Harvard Law School, *prima facie* entitles the work to the confidence of its readers. Nor will an examination of it disappoint such confidence. The fundamental principles of the subject are tersely but fully and accurately treated. The author's style is attractive, and his arrangement excellent. The "articulation," if we may so term it, is logical and minute, a feature of great aid to the student. Each main rule or principle is stated in black letter type, followed by the necessary explanatory and illustrative matter. One who has not had experience as a teacher, cannot appreciate the helpfulness to the student, of proper mechanical arrangement and presentation. Practitioners will find Prof. Beale's book an excellent compendium of its subject, and most convenient for getting at fundamental principles, accurately stated.